

Attachment A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED

MAR 25 2021

U.S. DISTRICT COURT
ELKINS WV 26241

Ronald R. Myles Jr.
Your full name

FEDERAL CIVIL RIGHTS
COMPLAINT
(BIVENS ACTION)

v.

Civil Action No.: 3:21cv45
(To be assigned by the Clerk of Court)

FCI Gilmer

Grah
Trumble
Sims

Enter above the full name of defendant(s) in this action

I. JURISDICTION

This is a civil action brought pursuant to **Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971)**. The Court has jurisdiction over this action pursuant to Title 28 U.S.C. §§ 1331 and 2201.

II. PARTIES

In Item A below, place your full name, inmate number, place of detention, and complete mailing address in the space provided.

A. Name of Plaintiff: Ronald R. Myles Jr. Inmate No.: 64225-060
Address: P.O. Box 6000 Glenville, WV 26351

In Item B below, place the full name of each defendant, his or her official position, place of employment, and address in the space provided.

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B. Name of Defendant: FCI Gilmer
 Position: _____
 Place of Employment: FCI Gilmer
 Address: P.O. Box 6000 Glenville, WV 26351

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? ☒ Yes ☒ No

If your answer is "YES," briefly explain: I was placed in the hole for Rule violations. I was not released when the (JHO board) determined my sentence to finish (17 days) in the hole past my sentence. Stealing money from my account without a court order etc. From a Judge

B.1 Name of Defendant: _____
 Position: _____
 Place of Employment: _____
 Address: _____

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? ☐ Yes ☐ No

If your answer is "YES," briefly explain: _____

B.2 Name of Defendant: _____
 Position: _____
 Place of Employment: _____
 Address: _____

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? ☐ Yes ☐ No

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B.5 Name of Defendant: _____
Position: _____
Place of Employment: _____
Address: _____

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? ☐ Yes ☐ No

If your answer is "YES," briefly explain: _____

III. PLACE OF PRESENT CONFINEMENT

Name of Prison/ Institution: FCI Bilmer

A. Is this where the events concerning your complaint took place?
☒ Yes ☐ No

If you answered "NO," where did the events occur?

B. Is there a prisoner grievance procedure in the institution where the events occurred? ☒ Yes ☐ No

C. Did you file a grievance concerning the facts relating to this complaint in the prisoner grievance procedure?
☒ Yes ☐ No

D. If your answer is "NO," explain why not: _____

E. If your answer is "YES," identify the administrative grievance procedure number(s) in which the claims raised in this complaint were addressed

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and state the result at level one, level two, and level three. **ATTACH GRIEVANCES AND RESPONSES:**

LEVEL 1 BP - 9

LEVEL 2 Appeal to Central office

LEVEL 3 _____

IV. **PREVIOUS LAWSUITS AND ADMINISTRATIVE REMEDIES**

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action? ☐ Yes ☒ No

B. If your answer is "YES", describe each lawsuit in the space below. If there is more than one lawsuit, describe additional lawsuits using the same format on a separate piece of paper which you should attach and label: "IV PREVIOUS LAWSUITS"

1. Parties to this previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

2. Court: _____
(If federal court, name the district; if state court, name the county)

3. Case Number: _____

4. Basic Claim Made/Issues Raised: _____

5. Name of Judge(s) to whom case was assigned: _____

6. Disposition: _____
(For example, was the case dismissed? Appealed? Pending?)

7. Approximate date of filing lawsuit: _____

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8. Approximate date of disposition. Attach Copies: _____
- C. Did you seek informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part B?
☐ Yes ☒ No
- D. If your answer is "YES," briefly describe how relief was sought and the result. If your answer is "NO," explain why administrative relief was not sought.
No, because once I got out of the hole 17 days after my (DHO Sentence), there was no point I couldn't challenge the charges. The 8th Amendment of Cruel & Unusual punishment is a Federal District Court issue.
- E. Did you exhaust available administrative remedies?
☒ Yes ☐ No
- F. If your answer is "YES," briefly explain the steps taken and attach proof of exhaustion. If your answer is "NO," briefly explain why administrative remedies were not exhausted.
I was curled up in the hole with my Counselor Kemper refusing to bring me paperwork. As well, this particular counselor threw away my administrative paperwork given to him by Unit Manager Parker - Davidson. It became clear that Cruelty was Gholnik's intent.
- G. If you are requesting to proceed in this action *in forma pauperis* under 28 U.S.C. § 1915, list each civil action or appeal you filed in any court of the United States while you were incarcerated or detained in any facility that was dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted. Describe each civil action or appeal. If there is more than one civil action or appeal, describe the additional civil actions or appeals using the same format on a separate sheet of paper which you should attach and label "G. PREVIOUSLY DISMISSED ACTIONS OR APPEALS"
1. Parties to previous lawsuit:

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Plaintiff(s): _____

Defendant(s): _____

2. Name and location of court and case number:

_____3. Grounds for dismissal: ☐ frivolous ☐ malicious
☐ failure to state a claim upon which relief may be granted4. Approximate date of filing lawsuit: June 23rd 2017 & Jan 17th 20205. Approximate date of disposition: Sept. 25th 2018 & Nov 18th 2020V. STATEMENT OF CLAIM

State here, as **BRIEFLY** as possible, the facts of your case. Describe what each defendant did to violate your constitutional rights. **You must include allegations of specific wrongful conduct as to EACH and EVERY defendant in the complaint.** Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, you must number and set forth each claim in a separate paragraph. **UNRELATED CLAIMS MUST BE RAISED IN SEPARATE COMPLAINTS WITH ADDITIONAL FILING FEES. NO MORE THAN FIVE (5) TYPED OR TEN (10) NEATLY PRINTED PAGES MAY BE ATTACHED TO THIS COMPLAINT. (LR PL 3.4.4)**

CLAIM 1: I was put in Segregation (The Shu) & given a sentence to be completed by the DHO Board. As DHO Board is the only entity permitted to impose a sentence, I was not released from Segregation on (my release date) I was kept 17 days beyond my DHO imposed sentence violating the 8th Amendment & 14th Amendment of (due process).

Supporting Facts: _____

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This also delayed my bricks to the Court, as they were returned out of time, & while in the Shu, I was denied proper access to the Courts, causing me my freedom to the outside & massive cancer damages.

CLAIM 2: The Institution has been taking my money for alleged state of Ohio Court fees with no order from (a Judge) to do so. A (State Clerk) has no jurisdiction against my federal account violating the 8th, 5th, & 14th Amendment of U.S. Constitution.

Supporting Facts: _____

CLAIM 3: I was denied the respect to formally have my religion entered into the Institutional Religious System after being given the word by Assistant Chaplain Tompkins that my religion was formally entered. violating _____
And the 1st Amendment of the U.S. Constitution

Supporting Facts: Describing my Religious Practice of Oracle Consultation (70 cards) as drug use & inflicting 8th Amendment violations to deter my Ancient Egyptian Religious Practice.

CLAIM 4: Refusing to file Stamp Date my legal mail according to the Special mail procedures violating the 5th & 14th Amendment of U.S. Constitution causing my brief to be returned as undelivered.

Supporting Facts: _____

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CLAIM 5: _____

Supporting Facts: _____

VI. INJURY

Describe **BRIEFLY** and **SPECIFICALLY** how you have been injured and the exact nature of your damages.

I have been psychologically traumatized, been denied access to the courts to fight for my freedom, had money stolen from my account disguised as Court Orders from Judges, had legal briefs returned as untimely because of the Institutions refusal to follow the "special mailing procedures" of file stamping my briefs causing them to return untimely, which has delayed my freedom home on appeal I had my briefs denied b/c of Institutional negligence.

VII. RELIEF

State **BRIEFLY** and **EXACTLY** what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.

For the cruel behavior I have endured at the FCI Gilmer Inst, of deliberately trying to thwart my return home thru my legal fight I deliberately inflicting cruel & unusual punishment (8th Amendment) Chief Judge Margaret Sweeney of the U.S. Court Claims has already valued my music career value & damages at \$300million & my prose legal fee value at \$150million. As Gilmer has sought to deliberately thwart my music career & legal fight to the outside world, award me my total value of \$450million in damages. Case # 1:20-cv-00875-mms Feb 19th 2021 (U.S. Court of Claims) Order of Opinion page (2 of 8)

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DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained in the complaint is true and accurate. Title 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Executed at FCI Gilmer on March 3rd 2021.
(Location) (Date)

Ronald R. Myles Jr.
Your Signature

Attachment E

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

Ronald R. Myles Jr.
Your full name

v.

Civil Action No.: _____

F. C. I. Gilmer

Enter above the full name of defendant(s) in this action

Certificate of Service

I, Ronald R. Myles Jr. (your name here), appearing *pro se*, hereby certify that I have served the foregoing Civil Complaint (title of document being sent) upon the defendant(s) by depositing true copies of the same in the United States mail, postage prepaid, upon the following counsel of record for the defendant(s) on _____ (insert date here):

(List name and address of counsel for defendant(s))

Ronald R. Myles Jr.
(sign your name)